

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROSE COULTER-OWENS, individually and
on behalf of all others similarly situated,

Plaintiff,

v.

CASE NO. 12-CV-14390
HONORABLE GEORGE CARAM STEEH

TIME, INC., a Delaware Corporation,

Defendant.

_____/

ORDER DENYING DEFENDANT'S MOTION TO ADJOURN (DOC. #157)

Plaintiff brought this putative class action under Michigan's Video Rental Privacy Act ("VRPA"), Mich. Comp. Laws §§ 445.1711, et seq., alleging that defendant improperly disclosed the private information of people who subscribed to *TIME*, *Fortune*, and *Real Simple* magazines through third-party websites. The court granted plaintiff's motion to certify the case as a class action. (Doc. #117). On December 15, 2015, the court will hear oral argument on the parties' cross-motions for summary judgment (Docs. #119, 126).

Defendant recently filed a motion to stay the case pending the U.S. Supreme Court's decision in *Spokeo, Inc. v. Robbins*, 135 S. Ct. 1892 (2015) (No. 13-1339, OT 2015 Term), and defendant also seeks certification to the Michigan Supreme Court certain questions regarding the interpretation of the VRPA. (Doc. #156). Now before the court is defendant's motion to adjourn the hearing on the parties' cross-motions for summary judgment pending a decision on defendant's stay/certification motion (Doc. #157).

The court has reviewed defendant's motion and determines that adjourning the hearing on the summary judgment motions is unnecessary. Instead, the court will schedule

defendant's motion to stay and for certification on the same day as the hearing on the cross-motions for summary judgment. Plaintiff shall file a response to defendant's motion by November 23, 2015. Defendant shall file a reply by December 3, 2015.

Accordingly, defendant's motion to adjourn is DENIED.

IT IS SO ORDERED.

Dated: November 17, 2015

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on November 17, 2015, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk